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5 UNITED STATES DISTRICT COURT  
6 DISTRICT OF NEVADA  
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8 JAMES ANTHONY DAVIS,  
9 Plaintiff,

3:08-CV-400-RCJ(VPC)

ORDER

10 v.

11 BILL DONAT, *et al.*,  
12 Defendants.  
13

14 Before the Court is the Report and Recommendation of U.S. Magistrate Valerie P. Cooke, (#64<sup>1</sup>)  
15 entered on June 30, 2010, recommending Defendants' Motion For Summary Judgment (#51) be granted  
16 and Plaintiff's Motion for Summary Judgment (#31) be denied. No Objections have been filed.

17 The Court has conducted its *de novo* review in this case, has fully considered the response of  
18 the Defendants, the pleadings and memoranda of the parties and other relevant matters of record  
19 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2. The Court determines that the Magistrate  
20 Judge's Report and Recommendation (#64) entered on June 30, 2010, should be adopted and accepted.

21 IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation (#64)  
22 entered on June 30, 2010, is adopted and accepted, and Defendants' Motion For Summary Judgment  
23 (#51) is GRANTED.

24 IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment (#31) is DENIED.

25 IT IS SO ORDERED.

26 DATED: this 12<sup>th</sup> day of August, 2010.

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ROBERT C. JONES  
United States District Judge

<sup>1</sup>Refers to court's docket number.